

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE      PATENT

Applicant: John M. CIOFFI et al.  
 Docket: STFD.060PA (S02-085)  
 Title: CONCURRENT FREQUENCY-SHARING MULTI-USER  
 COMMUNICATION SYSTEM WITH RATE ALLOCATION APPROACH

CERTIFICATE UNDER 37 CFR 1.10

Express Mail' mailing label number: EL 981390039 US

Date of Deposit: October 23, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Commissioner for Patents, MAIL STOP PATENT APPLICATION, P.O. Box 1450, Alexandria, VA 22313-1450.

By: \_\_\_\_\_

Name: Kelly Ledin

MAIL STOP PATENT APPLICATION

U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet containing executed Certificate under 37 CFR 1.10.
- ☒ Patent Application: Pages Numbered 1-23 with 1 page Abstract; 25 claims.
- ☒ In which on page one, the present application claims benefit under 35 U.S.C. §119 as a conversion of U.S. Provisional Application Serial No. 60/420,938, filed on October 23, 2002, and entitled "Rate Allocation for CDMA/OFDM."
- ☒ 2 sheets of drawings labeled Figures 1-2.
- ☒ Attached Appendix A of the patent application, 6 sheets.
- ☒ An unexecuted Declaration, 3 pgs.
- ☒ **Non-Publication Request and Certification under 35 U.S.C. 122(b)(2)(B)(i).**
- ☒ Please **DEFER PAYMENT OF THE SMALL-ENTITY** Filing Fee.
- ☒ 1 Return Postcard

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By: \_\_\_\_\_

Name: Robert J. Crawford

Reg. No.: 32,122

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST AND CERTIFICATION  
UNDER

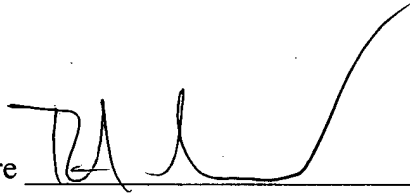
35 U.S.C. 122(b)(2)(B)(i)

First Named Inventor:	John M. CIOFFI et al.
Title:	CONCURRENT FREQUENCY-SHARING MULTI-USER COMMUNICATION SYSTEM WITH RATE ALLOCATION APPROACH
Atty Docket No.:	STFD.060PA (S02-085)

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

October 23, 2003

Signature

  
Robert J. Crawford (Reg. No. 32,122)

This request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 37 C.F.R. 1.22(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**